

STEFAN HYATT,

Plaintiff,

VS.

UNION PACIFIC RAILROAD COMPANY,

Defendant.

Case No.: 2:25-cv-00315-DJC-JDP

ORDER

Based on the Parties' Stipulation, filed on May 16, 2025, the Court orders as follows:

1. Plaintiff is granted leave to file the First Amended Complaint, as attached to the Parties' Stipulation as **Exhibit A**, thereby removing Counts III and IV of Plaintiff's original Complaint with prejudice.
2. Plaintiff shall file the First Amended Complaint, attached as Exhibit A at ECF No. 18-1, as a separate docket entry forthwith.
3. Defendant's Answer and Affirmative Defenses to Plaintiff's Complaint filed in this action on April 14, 2025 (ECF No. 13) shall be Defendant's responsive pleading to Plaintiff's First Amended Complaint.
4. Defendant's pending Partial Motion to Dismiss (ECF No. 15) is DENIED AS MOOT; the hearing scheduled for May 29, 2025 is VACATED and taken off calendar.

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1 5. The parties shall file a joint status report pursuant to this Court's Initial Case
2 Management Order (ECF No. 3) within fourteen (14) days after the First Amended
3 Complaint is filed.

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5 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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7 Dated: May 19, 2025

/s/ Daniel J. Calabretta

8 THE HONORABLE DANIEL J. CALABRETTA
9 UNITED STATES DISTRICT JUDGE

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